



## PUBLIC SERVICE COMMISSION

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**Bob Rowe, Commissioner**  
**District 5**

August 28, 2002

Marlene H. Dortch, Secretary  
Office of the Secretary  
Federal Communications Commission  
445 12th Street SW BY-B402  
Washington, D. C. 20554

RE: WC Docket No. 02-148, August 21 Public Notice requesting comment on an ex parte filed by Qwest on August 20, 2002.

Dear Secretary Dortch:

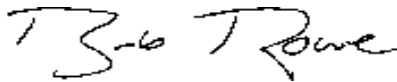
On August 21, 2002 the FCC issued a Public Notice requesting comment on an ex parte filed by Qwest on August 20, 2002, in WC Docket No. 02-148. Qwest's Section 271 application for Montana is not addressed in that docket, but is addressed in WC Docket No. 02-189, which concerns a similar set of issues.

Consistent with Qwest's August 20 ex parte filing, on August 22, 2002, Qwest filed seven Qwest/CLEC negotiated agreements (the "Agreements") with the Montana Public Service Commission (MPSC). According to Qwest, these Agreements were filed to meet the requirements of Section 251(b) or (c) on a going forward basis.

The MPSC will review these agreements under our approval process for interconnection agreements and amendments. The MPSC recognizes that Qwest has committed to posting these Agreements to Qwest's website in order to allow CLECs in Montana to opt in to the Section 251 terms.

The MPSC has not adopted a definition of interconnection agreement, as the issue had not previously arisen. The extent of filing requirements under Section 252(a) is now under consideration by the FCC in a petition for declaratory ruling filed by Qwest, and also arising out of the unfilled agreements situation. The Montana Commission has not endorsed a specific position in that proceeding; however, prompt action by the FCC will be most valuable to all parties to wholesale agreements in clarifying this important question.

Sincerely,

A handwritten signature in black ink, appearing to read "Bob Rowe". The signature is stylized with a large, loopy "B" and a cursive "Rowe".

Bob Rowe